





PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

08 APE ?

Applicant's or agent's file reference C1-A0220P	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)							
International application No. PCT/JP2003/013063	International filing date (day/month/year) Priority date (day/month/year) 10 October 2003 (10.10.2003) 11 October 2002 (11.10.2002)							
International Patent Classification (IPC) or national classification and IPC C07K 16/18, C12P 21/08, A61K 39/395, A61P 35/00, 37/02, 43/00								
Applicant CH	UGAI SEIYAKU KABUSHIKI KAISHA							
 This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. This REPORT consists of a total of4 sheets, including this cover sheet. This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). 								
These annexes consist of a total of sheets. 3. This report contains indications relating to the following items: I								
Date of submission of the demand 10 October 2003 (10.1)	Date of completion of this report 0.2003) 06 February 204 (06.02.204)							
Name and mailing address of the IPEA/JP	Authorized officer							
Fassimile No.	Telephone No							



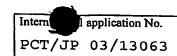
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/013063

I. B	I. Basis of the report						
1. V	Vith r	egard to	o the elements of the international application:*				
	X	the inte	ernational application as originally filed				
Ī	7	the des	cription:	• •			
-		pages		, as originally filed			
		pages		, filed with the demand			
		pages	, filed with the letter of	<u> </u>			
ſ	\neg	the clai					
_		pages		, as originally filed			
		pages	, as amended (together with any sta	ntement under Article 19			
		pages		, filed with the demand			
		pages	, filed with the letter of				
Γ	\neg	the dra	awings:				
٦		pages		, as originally filed			
		pages		_, filed with the demand			
		pages	, filed with the letter of				
l	_ ա	he seau	ence listing part of the description:				
١ '		pages		, as originally filed			
		pages					
		pages	, filed with the letter of				
	the in These	the lar the lar the lar the lar or 55.	regard to the language, all the elements marked above were available or furnished to this Authority in the language in whermational application was filed, unless otherwise indicated under this item. Elements were available or furnished to this Authority in the following language which the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). The language of publication of the international application (under Rule 48.3(b)). The language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 aror 55.3). The language of any nucleotide and/or amino acid sequence disclosed in the international application, the internation				
 	preli	minary	examination was carried out on the basis of the sequence listing: ined in the international application in written form.	the basis of the sequence listing:			
	凶		together with the international application in computer readable form.				
		shed subsequently to this Authority in written form.					
	П		shed subsequently to this Authority in computer readable form.				
		The	statement that the subsequently furnished written sequence listing does not go beyon national application as filed has been furnished.	d the disclosure in the			
	\boxtimes	• •					
4.		The a	amendments have resulted in the cancellation of:				
	·		the description, pages				
			the claims, Nos.				
			the drawings, sheets/fig				
5.			report has been established as if (some of) the amendments had not been made, since they had the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**	we been considered to go			
	in th	acemeni is repo 70.17).	t sheets which have been furnished to the receiving Office in response to an invitation under ort as "originally filed" and are not annexed to this report since they do not contain a	Article 14 are referred to amendments (Rule 70.16			
**	Any 1	replacei	ment sheet containing such amendments must be referred to under item 1 and annexed to this i	report.			

INTERNATIONAL PREDMINARY EXAMINATION REPORT



v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

Statement			
Novelty (N)	Claims	4-23	YES
	Claims .	1-3	NO
Inventive step (IS)	Claims	5-23	YES
	Claims	1-4	NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims		NO

2. Citations and explanations

Document 1: Blood, 1997, Vol. 90, No. 9, pp. 3629-3639

Document 2: J. Exp. Med., 1995, Vol. 181, No. 6, pp.

2007-2015

Document 3: Int. Immunol., 1998, Vol. 10, No. 9, pp.

1347-1358

Document 4: Mol. Immunol., 1999, Vol. 36, No. 6, pp.

387-395

Document 5: Biochem. Biophys. Res. Commun., 1999, Vol.

258, No. 3, pp. 583-591

Document 6: Blood, 1999, Vol. 93, No. 11, pp. 3922-3930

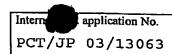
Claims 1 to 3

Claims 1 to 3 lack novelty and do not involve an inventive step in the light of documents 1 to 3 cited in the international search report.

Document 1 indicates monovalent Fab' fragments from an antibody against the $\alpha 1$ domain of HLA class IA molecules from humans. Therefore, the invention that is indicated in document 1 cannot be differentiated from the invention that is set forth in claims 1 to 3 of the present application.

Document 2 indicates Fab fragments from the antibody (RE2) against the $\alpha 2$ domain of HLA class IA molecules from mice. Therefore, the invention that is indicated in

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



document 2 cannot be differentiated from the invention that is set forth in claims 1 to 3 of the present application.

Document 3 indicates monovalent Fab fragments from an antibody against the $\alpha 3$ domain of HLA class IA molecules. Therefore, the invention that is indicated in document 3 cannot be differentiated from the invention that is set forth in claims 1 to 3 of the present application.

Claims 1 to 4

Claims 1 to 4 do not involve an inventive step in the light of documents 4 to 6 cited in the international search report. Documents 4 to 6 indicate the production of humanized antibodies from anti-HM1.24 antibodies that are obtained by immunizing Balb/c mice using human myeloma cells.

The feature of degrading an antibody is well known in the technical field in question; therefore, it would be easy for a person skilled in the art to produce antibody fragments by degrading the anti-HM1.24 antibodies that are indicated in documents 4 to 6.